

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 380**  
FINAL READING

Introduced by Redfield, 12; Bourne, 8; Byars, 30; Howard, 9;  
Kopplin, 3; McDonald, 41; D. Pederson, 42; Price, 26;  
Raikes, 25; Schrock, 38; Stuhr, 24

Read first time January 12, 2005

Committee: Education

A BILL

1 FOR AN ACT relating to schools; to amend sections 79-586 and 79-589  
2 to 79-592, Reissue Revised Statutes of Nebraska; to  
3 provide an alternative to bond for school district  
4 treasurers; to harmonize provisions; and to repeal the  
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1                   Section 1.    Section 79-586, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   79-586.   The treasurer of each Class I, II, III, IV, or  
4 VI school district shall, within ten days after his or her  
5 election, execute to the county and file with the secretary a bond  
6 or evidence of equivalent insurance coverage of not less than five  
7 hundred dollars in any instance and not more than double the amount  
8 of money, as nearly as can be ascertained, to come into his or her  
9 hands as treasurer at any one time, ~~with~~ which bond shall be signed  
10 by either a personal surety or a surety company or companies of  
11 recognized responsibility as surety or sureties, to be approved by  
12 the president and secretary, conditioned for the faithful discharge  
13 of the duties of the office. The bond when approved or evidence of  
14 equivalent insurance coverage shall be filed by the secretary in  
15 the office of the county treasurer of the county in which the  
16 school district is situated. If the treasurer fails to execute  
17 such bond or provide evidence of such insurance coverage, the  
18 office shall be declared vacant by the school board or board of  
19 education and the board shall immediately appoint a treasurer who  
20 shall be subject to the same conditions and possess the same powers  
21 as if elected to that office. The treasurer shall have no power or  
22 authority to withdraw or disburse the money of the district prior  
23 to filing the bond or evidence of equivalent insurance coverage  
24 provided for in this section.

25                  Sec. 2.    Section 79-589, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27                  79-589.   In a Class III school district which lies  
28 outside of the corporate limits of any city or village or of which

1 more than one-half is geographically within a city of the  
2 metropolitan class, the board of education shall elect one of its  
3 members, other than the secretary, as treasurer of the school  
4 district and the provisions of section 79-590 shall not apply to  
5 the selection of a treasurer of such a district. The treasurer  
6 shall prepare and submit in writing a monthly report of the state  
7 of the finances of the district and pay school money only upon  
8 warrants signed by the president of the board or, in the  
9 president's absence, by the vice president, and countersigned by  
10 the secretary. The treasurer shall give a bond or evidence of  
11 equivalent insurance coverage payable to the school district in  
12 such sum as may be fixed by the board. Such ~~and which~~ bond shall be  
13 signed by one or more surety companies of recognized  
14 responsibility. The cost of such bond or insurance coverage shall  
15 be paid by the school district.

16 Sec. 3. Section 79-590, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18 79-590. The board of education of a Class III school  
19 district may employ a treasurer for such district who shall be paid  
20 a salary, to be fixed by the board, of not to exceed one thousand  
21 two hundred dollars per annum. If the board does not employ such a  
22 treasurer, the city treasurer or deputy city treasurer of the city  
23 which is within such district shall be ex officio treasurer of the  
24 school district. He or she shall attend all meetings of the board  
25 when required so to do, prepare and submit in writing a monthly  
26 report of the state of the district's finances, and pay school  
27 money only upon warrants signed by the president of the board or,  
28 in the president's absence, by the vice president, and

1 countersigned by the secretary. If the city treasurer or his or  
2 her deputy acts as ex officio treasurer of the school district, he  
3 or she shall be paid for such services by the school district a sum  
4 to be fixed by the board. The treasurer of such district, or the  
5 city treasurer or deputy city treasurer acting as ex officio  
6 treasurer, shall give a bond or evidence of equivalent insurance  
7 coverage payable to the county in such sum as may be fixed by the  
8 board of education. Such ~~7 which~~ bond shall be signed by one or  
9 more surety companies of recognized responsibility. The cost of  
10 such bond or insurance coverage shall be paid by the school  
11 district.

12           Sec. 4.     Section 79-591, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14           79-591.   The treasurer of a Class IV school district  
15 shall (1) attend all meetings of the board of education when  
16 required to do so by the board of education, (2) prepare and submit  
17 in writing a monthly report of the state of the finances of the  
18 district, (3) pay out school money only upon warrants signed by the  
19 president or vice president and countersigned by the associate  
20 superintendent of business affairs, and (4) give a bond or evidence  
21 of equivalent insurance coverage payable to the school district in  
22 a sum fixed by the board of education.

23           Sec. 5.     Section 79-592, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25           79-592.   The treasurer of a Class V school district shall  
26 receive all taxes of the school district from the county treasurer.  
27 The treasurer of the school district shall attend all meetings of  
28 the board of education of the Class V district when required to do

1 so, shall prepare and submit in writing a monthly report of the  
2 state of the district's finances, and shall pay school money only  
3 upon a warrant signed by the president, or in the president's  
4 absence by the vice president, and countersigned by the secretary.  
5 The treasurer shall also perform such other duties as designated by  
6 the board of education. Before entering into the discharge of his  
7 or her duties and during the entire time he or she so serves, the  
8 treasurer shall give bond, or evidence of equivalent insurance  
9 coverage payable to the board, in such amount as may be required by  
10 the board, but in no event less than two hundred thousand dollars,  
11 conditioned for the faithful discharge of his or her duties as  
12 treasurer of the school district, for the safekeeping and proper  
13 disbursement of all funds and money of the school district received  
14 by the treasurer. Such bond shall be signed by one or more surety  
15 companies of recognized responsibility, to be approved by the  
16 board. The cost of the bond or insurance shall be paid by the  
17 school district. Such bond or insurance coverage may be enlarged  
18 at any time the board may deem an enlargement or additional bond or  
19 insurance coverage to be necessary.

20           Sec. 6. Original sections 79-586 and 79-589 to 79-592,  
21 Reissue Revised Statutes of Nebraska, are repealed.